Y does not gain exempt status, since Y did not qualify during the period prescribed in § 101.51(a)(3). He could discharge any number of employees and still not gain exempt status.

This ruling has been approved by General Counsel of the Cost of Living Council.

Dated: June 6, 1972.

LEE H. HENKEL, Jr.,
Acting Chief Counsel,
Internal Revenue Service.

Approved: June 6, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72-8782 Filed 6-9-72;8:48 am]

[Cost of Living Council Ruling 1972-57]

SMALL BUSINESS EXEMPTION—INSTITUTIONAL OR NONINSTITUTIONAL PROVIDER OF HEALTH SERVICES

Cost of Living Council Ruling

Facts. X, a physician and owner of a small medical clinic, employs 10 employees to perform various medical tasks. None of the employees belongs to a union.

Issue. Are the price and pay adjustments of the physician and medical clinic exempt under Economic Stabilization Regulation, 6 CFR 101.51(a), 37 F.R. 8939 (May 3, 1972)?

Ruling. No. Section 101.51(a)(2) states, "the exemption provided in subparagraph (1) * * * shall not be applicable to * * *(ii) a firm which on the effective date of this regulation was an institutional or noninstitutional provider of health services * * *". Since the clinic and the physician are within the Price Commission definitions of institutional and noninstitutional providers of health services, the exemption for small businesses is not applicable and their pay and price adjustments continue to be subject to stabilization regulations.

This ruling has been approved by General Counsel of the Cost of Living Council.

Dated: June 6, 1972.

LEE H. HENKEL, Jr.,
Acting Chief Counsel,
Internal Revenue Service.

Approved: June 6, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72-8783 Filed 6-9-72;8:48 am]

[Cost of Living Council Ruling 1972-58]

SMALL BUSINESS EXEMPTION—RENT VS. SERVICE

Cost of Living Council Ruling

Facts. L "rents" beach cottages during the summer on a weekly basis to transient occupants. L has never had more than 10 employees. The pay adjustments of the employees of L have never been set by a master employment or other employment contract of the type described in § 101.51(a)(2)(iv).

Issue. Whether a service organization which rents to transients may qualify for the small business exemption?

Ruling. Yes. Section 101.51(a)(1) provides in part that price and pay adjustments (but not rent increases or adjustments) of any firm, existing on or before December 31, 1971, with an average of 60 or fewer employees are exempt from and not included in the coverage of this title. 37 F.R. 8939 (May 3, 1972). The parenthentical language of this section clearly indicates that rent increases are not exempt under the section. However, the provisions of § 101.51 do not modify the distinctions which were previously drawn from the regulations between the rental of real property (Part 301) and the sale of services (e.g. the lease of personal property or charge for hotel or motel rooms). This distinction was discussed in Price Commission Ruling 1972-57, 37 F.R. 2453 (February 16, 1972). It is clear that the parenthentical exception of rent increases or adjustments from the exemption provided in § 101.51 only applies to "rents" as defined in Part 301. Consequently, since L in the present case would be classified as a service organization, L is eligible for the exemption if it meets all the requirements of § 101.51.

This ruling has been approved by the General Counsel of the Cost of Living Council.

LEE H. HENKEL, Jr.,
Acting Chief Counsel,
Internal Revenue Service.

Approved: June 6, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72-8784 Filed 6-9-72;8:48 am]

[Cost of Living Council Ruling 1972-59]

SINGLE-FAMILY DWELLING UNITS

Cost of Living Council Ruling

Facts. Lessor L owns a building containing several commercial rental units and one residential rental unit which was leased for a term longer than month-to-month on January 19, 1972. Neither L nor members of his family owns or has an interest in other rental units.

Issue. Does the building qualify for an exemption as a single family dwelling unit under the provisions of 6 CFR 101.33(a)(2)(iv)?

Ruling. Section 101.33(a)(2)(iv), as originally enacted, exempted single family dwelling units and rental units in owner-occupied multifamily dwellings which were rented for a term longer than month-to-month on January 19, 1972, from coverage of the Economic Stabilization Regulations, provided the owner or members of his family do not own or have an interest in more than an aggregate of four such units. 6 CFR 101.33(a)(2)(iv)(1972). By amendment effective May 24, 1972, the owner-occupancy and longer than month-to-month requirements were removed from § 101.33(a)(2)(iv), 37 F.R. 10493 (1972). In any case, the term "dwelling unit" means a building used in whole or in part for residential purposes. Thus, where it contains only a single rental unit used for residential purposes, the building may qualify for exemption as a single family dwelling unit under § 101.33(a)(2)(iv).

This ruling has been approved by the General Counsel of the Cost of Living Council.

Dated: June 6, 1972.

LEE H. HENKEL, Jr.,
Acting Chief Counsel,
Internal Revenue Service.

Approved: June 6, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72-8785 Filed 6-9-72;8:48 am]

[Price Commission Ruling 1972-182]

APPLICATION OF REGULATIONS GOVERNING INSTITUTIONAL PROVIDERS OF HEALTH SERVICES TO INDIVIDUAL HOSPITALS

Price Commission Ruling

Facts. Corporation X owns two hospitals (A and B) in city Y and also manufactures plastic products. The corporation as a whole has aggregate annual revenues of $40 million, consisting of $1.5 million from hospital A, $1 million from hospital B and $37.5 million from its manufacturing business. The corporation's overall profit margin, as defined in Economic Stabilization Regulations, 6 CFR 300.5, 36 F.R. 23974 (December 16, 1971), as amended 37 F.R. 3913 (February 24, 1972), during its base period was 6 percent. Considered separately, hospital A had a profit margin of 3 percent during its base period and hospital B's profit margin was 2 percent during its base period. Hospital A has incurred allowable cost increases and wishes to raise its prices to reflect these costs. An institutional provider of health services cannot increase a price over its base price that will increase its profit margin over that which prevailed during its base period. Economic Stabilization Regulations, 6 CFR 300.18(b), 36 F.R. 23584 (December 30, 1971), as amended 37 F.R. 775 (January 19, 1972). Also if a hospital's price increases increase its aggregate annual revenues more than 2.5 percent over the amount those revenues would have been had the provider charged its base prices, the hospital is required to file a price schedule and statement with the Internal Revenue Service and a price schedule with its Medicare intermediary. If the effect of the price increase is to increase aggregate annual revenues more than 6 percent the hospital must request an exception from the Price Commission. Economic Stabilization Regulations, 6 CFR 300.18(c), 36 F.R. 23584 (December 30, 1972).

Issue. Whose profit margin and aggregate annual revenues should hospital A consider in determining if it can increase its prices?

Ruling. Institutional providers of health services include any hospital owned or operated by any person. Economic Stabilization Regulations, 6 CFR Part 300, Appendix I, 36 F.R. 23584 (December 30, 1971). In applying the regulations of the Economic Stabilization Program, each separate and distinct institutional health care provider in a community is considered on an individual basis. Therefore each individual hospital that wishes to charge a price in excess of its base price must individually meet the requirements of Economic Stabilization Regulations, 6 CFR 300.18, 36 F.R. 23584 (December 30, 1971), as amended, 37 F.R. 775 (January 19, 1972) and 37 F.R. 7621 (April 18, 1972). Each hospital must use its own allowable cost increases to justify a price increase and use its own profit margin, not the profit margin of a larger entity (such as corporation X in this example) that operates the hospital. Also, the aggregate annual revenue requirements of § 300.18(c) of the regulations apply to each individual hospital.

Therefore hospital A must consider its own profit margin (3 percent) and its own aggregate annual revenues ($1.5 million) in determining if its proposed price increase is allowable.

This ruling has been approved by the General Counsel of the Price Commission.

Dated: June 5, 1972.

LEE H. HENKEL, Jr.,
Acting Chief Counsel,
Internal Revenue Service.

Approved: June 5, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72-8786 Filed 6-9-72;8:48 am]

[Price Commission Ruling 1972-183]

PROFIT MARGIN DETERMINATIONS

Price Commission Ruling

Facts. Company A, a manufacturing firm which uses a cost method of accounting in preparing its financial statements, generally writes down its inventory valuation each year by approximately $100,000. This write down reflects losses due to spoilage, obsolescence and other acceptable reasons. This year, however, A proposes to write down its inventory $400,000 due to extraordinary reasons.

Issue. Is an inventory write down considered a general and recurring cost of business operations which may be used in determining A's profit margin?

Ruling. Economic Stabilization Regulation § 300.5, 6 CFR 300.5 (February 24, 1972), defines the term "Profit Margin" as "the ratio that operating income (net sales less cost of sales and less normal and generally recurring costs of business operations, determined before nonoperating items; extraordinary items, and income taxes) bears to net sales as reported on the person's financial statement prepared in accordance with generally accepted accounting principles consistently applied." In accordance with this regulation general accounting theory is used instead of income tax accounting, and each expense in order to be allowable in calculating the profit margin, must be general, recurring, operational in nature and not extraordinary. Further, its use in financial statements in determining profit and loss, must be consistent with general accounting principles applied consistently.

On the above facts, an inventory write down would comply with all the requirements, except that this year the excessive amount would make it extraordinary. As such it cannot be used, this year, in determining A's profit margin in accordance with the regulations.

This ruling has been approved by the General Counsel of the Price Commission.

Dated: June 5, 1972.

LEE H. HENKEL, Jr.,
Acting Chief Counsel,
Internal Revenue Service.

Approved: June 5, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72-8787 Filed 6-9-72;8:48 am]

[Price Commission Ruling 1972-184; Cost of Living Council Ruling 1972-54]

RETROACTIVE PAYMENTS

Price Commission Ruling and Cost of Living Council Ruling

Facts. The Postal Service has a procedure for adjusting the payments it makes to contractors who carry mail in order to compensate them for unexpected cost increases. X, a contractor, applied and filed for such an increase in May 1971, for its various routes. The requests were neither granted nor denied due to the transition problems occurring within the Post Office.

Issue. If the Post Office approves such requests after August 15, 1971, will such payments to X violate the Economic Stabilization Act?

Ruling. X has performed services for the Post Office during the period prior to August 15, 1971. It is clear that the subsequent freeze did not give an obligor the right to renege on its past obligations due for services rendered prior to August 15, 1971. X can collect increased payments from the Post Office for services performed during this period even though such approval occurred after August 15, 1971.

As for compensation for services rendered by X during the August 15 to November 13, 1971, period, X can also collect the increased payments for this period. Under Phase I, the ceiling price for a service is the highest price at which a seller furnished the service in a substantial number of transactions during the base period. Economic Stabilization Regulation No. 1, section 3a(1), 36 F.R. 16515 (August 21, 1971). A "transaction" under Phase I takes place when the seller performs the service. Economic Stabilization Circular No. 101.302(1). Since X has performed services during the pre-August 15, 1971, period at a higher price, the ceiling price during the freeze will be the higher price subsequently granted by the Post Office.

This ruling has been approved by the General Counsels of the Price Commission and Cost of Living Council.

Dated: June 6, 1972.

LEE H. HENKEL, Jr.,
Acting Chief Counsel,
Internal Revenue Service.

Approved: June 6, 1972.

SAMUEL R. PIERCE, Jr.,
General Counsel,
Department of the Treasury.

[FR Doc.72-8788 Filed 6-9-72;8:48 am]

Office of the Secretary

[Treasury Department Order 221]

BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS

Establishment, Organization, and Functions

By virtue of the authority vested in me as Secretary of the Treasury, including the authority in Reorganization Plan No. 26 of 1950, it is ordered that:

1. The purpose of this order is to transfer, as specified herein, the functions, powers, and duties of the Internal Revenue Service arising under laws relating to alcohol, tobacco, firearms, and explosives (including the Alcohol, Tobacco, and Firearms Division of the Internal Revenue Service), to the Bureau of Alcohol, Tobacco, and Firearms (hereinafter referred to as the Bureau) which is hereby established. The Bureau shall be headed by the Director, Bureau of Alcohol, Tobacco, and Firearms (hereinafter referred to as the Director). The Director shall perform his duties under the general direction of the Secretary of the Treasury (hereinafter referred to as the Secretary) and under the supervision of the Assistant Secretary (Enforcement, Tariff and Trade Affairs, and Operations) (hereinafter referred to as the Assistant Secretary).

2. The Director shall perform the functions, exercise the powers, and carry out the duties of the Secretary in the administration and enforcement of the following provisions of law:

(a) Chapters 51, 52, and 53 of the Internal Revenue Code of 1954 and sections 7652 and 7653 of such Code insofar as they relate to the commodities subject to tax under such chapters;

(b) Chapters 61 to 80, inclusive, of the Internal Revenue Code of 1954, insofar as they relate to activities administered and enforced with respect to chapters 51, 52, and 53;

(c) The Federal Alcohol Administration Act (27 U.S.C. Chapter 8);

(d) 18 U.S.C. Chapter 44 (relating to firearms);

(e) Title VII, Omnibus Crime Control and Safe Streets Act of 1968 (18 U.S.C. Appendix, sections 1201–1203);

(f) 18 U.S.C. 1262–1265; 1952; 3615 (relating to liquor traffic);

(g) Act of August 9, 1939 (49 U.S.C. Chapter 11); insofar as it involves matters relating to violations of the National Firearms Act;

(h) 18 U.S.C. Chapter 40 (relating to explosives); and

(i) Section 414 of the Mutual Security Act of 1954, as amended (22 U.S.C. 1934) relating to the control of the importation of arms, ammunition, and implements of war.

3. All functions, powers, and duties of the Secretary which relate to the administration and enforcement of the laws specified in paragraph 2 hereof are delegated to the Director. Regulations for the purposes of carrying out the functions, powers, and duties delegated to the Director may be issued by him with the approval of the Secretary.

4. (a) All regulations prescribed, all rules and instructions issued, and all forms adopted for the administration and enforcement of the laws specified in paragraph 2 hereof, which are in effect or in use on the effective date of this order, shall continue in effect as regulations, rules, instructions, and forms of the Bureau until superseded or revised;

(b) All existing activities relating to the collection, processing, depositing, or accounting for taxes (including penalties and interest), fees, or other moneys under the laws specified in paragraph 2 hereof, shall continue to be performed by the Commissioner of Internal Revenue to the extent not now performed by the Alcohol, Tobacco, and Firearms Division or the Assistant Regional Commissioners (Alcohol, Tobacco, and Firearms), until the Director shall otherwise provide with the approval of the Secretary;

(c) All existing activities relating to the laws specified in paragraph 2 hereof which are now performed by the Bureau of Customs, shall continue to be performed by such Bureau until the Director shall otherwise provide with the approval of the Secretary.

5. (a) The terms "Director, Alcohol, Tobacco, and Firearms Division" and "Commissioner of Internal Revenue" wherever used in regulations, rules, instructions, and forms, issued or adopted for the administration and enforcement of the laws specified in paragraph 2 hereof, which are in effect or in use on the effective date of this order, shall be held to mean the Director.

(b) The terms "Assistant Regional Commissioner" wherever used in such regulations, rules, instructions, and forms, shall be held to mean Regional Director.

(c) The terms "internal revenue officer" and "officer, employee, or agent of the internal revenue" wherever used in such regulations, rules, instructions, and forms, in any law specified in paragraph 2 above, and in 18 U.S.C. 1114, shall include all officers and employees of the United States engaged in the administration and enforcement of the laws administered by the Bureau, who are appointed or employed by, or pursuant to the authority of, or who are subject to the directions, instructions, or orders of, the Secretary.

(d) The above terms, when used in regulations, rules, instructions, and forms of Government agencies other than the Internal Revenue Service, which relate to the administration and enforcement of the laws specified in paragraph 2 hereof, shall be held to have the same meaning as if used in regulations, rules, instructions, and forms of the Bureau.

6. (a) There shall be transferred to the Bureau all positions, personnel, records, property, and unexpended balances of appropriations, allocations, and other funds of the Alcohol, Tobacco and Firearms Division of the Internal Revenue Service, including those of the Assistant Regional Commissioners (Alcohol, Tobacco and Firearms), Internal Revenue Service.

(b) In addition, there shall be transferred to the Bureau such other positions, personnel, records, property, and unexpended balances of appropriations, allocations, and other funds, as are determined by the Assistant Secretary for Administration, in consultation with the Assistant Secretary, the Director, and the Commissioner of Internal Revenue, to be necessary or appropriate to be transferred to carry out the purposes of this order.

(c) There shall be transferred to the Chief Counsel of the Bureau such functions, powers, and duties, and such positions, personnel, records, property, and unexpended balances of appropriations, allocations, and other funds, of the Chief Counsel of the Internal Revenue Service as the General Counsel of the Department shall direct.

7. All delegations inconsistent with this order are revoked.

8. This order shall become effective July 1, 1972.

Dated: June 6, 1972.

[SEAL] CHARLS E. WALKER,
Acting Secretary of the Treasury.

[FR Doc.72-8818 Filed 6-9-72;8:50 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Marketing Agreement 146]

DOMESTICALLY PRODUCED PEANUTS

Budget of Expenses of Administrative Committee and Rate of Assessment for 1972 Crop Year

Pursuant to Marketing Agreement 146, regulating the quality of domestically produced peanuts (30 F.R. 9402), and upon recommendation of the Peanut Administrative Committee established pursuant to such agreement and other information, it is hereby found and determined that the expenses of said Committee and the rate of assessment applicable to peanuts produced in 1972 and for the crop year beginning July 1, 1972, shall be as follows:

(a) *Administrative expenses.* The budget of expenses for the Committee for the crop year beginning July 1, 1972, shall be in the total amount of $285,000, such amount being reasonable and likely to be incurred for the maintenance and functioning of the Committee, and for such purposes as the Secretary may, pursuant to the provisions of the marketing agreement, determine to be appropriate.

(b) *Indemnification expenses.* Expenses of the Committee for indemnification payments, pursuant to the terms and conditions of indemnification applicable to 1972 crop peanuts, effective July 1, 1972, are estimated at, but may exceed $3.5 million, such amount being reasonable and likely to be incurred.

(c) *Rate of assessment.* Each handler shall pay to the Peanut Administrative Committee, in accordance with section 48 of the marketing agreement, an assessment at the rate of $2.55 per net ton of farmers stock peanuts received or acquired other than those described in section 31 (c) and (d) ($0.30 for administrative expenses and $2.25 for indemnification expenses).

(d) *Indemnification reserve.* Monetary additions to the indemnification reserve, established in the 1965 crop year pursuant to section 48 of the marketing agreement, shall continue. That portion of the total assessment funds accrued from the $2.25 rate and not expended in providing indemnification on 1972 crop peanuts shall be placed in such reserve and shall be available to pay indemnification expenses on subsequent crops.

The expenses and rate of assessment are, under the agreement, on a crop year basis and will automatically be applicable to all assessable peanuts from the beginning of such crop year. The handlers of peanuts who will be affected hereby have signed the marketing agreement authorizing approval of expenses that may be incurred and the imposition of assessments, they are represented on the Committee which has submitted the recommendation with respect to such expenses and assessment for approval; and handlers have had knowledge of the foregoing in their recent industrywide discussions and will be afforded maximum time to plan their operations accordingly.

Dated: June 7, 1972.

FLOYD F. HEDLUND,
Director,
Fruit and Vegetable Division.

[FR Doc.72-8790 Filed 6-9-72;8:50 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 10423]

LEVALLORPHAN TARTRATE INJECTION

Drugs for Human Use; Drug Efficacy Study Implementation; Followup Notice

In a notice published in the FEDERAL REGISTER of April 9, 1971 (36 F.R. 6844), the Commissioner of Food and Drugs announced his conclusions pursuant to evaluation of a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on levallorphan tartrate injection, marketed as Lorfan Injection by Roche Laboratories, Division of Hoffman-LaRoche, Inc., 340 Kingsland Street, Nutley, N.J. 07110 (NDA 10-423).

The notice stated that the drug was regarded as effective, probably effective, and possibly effective for its various labeled indications. The indications classified as probably effective (treatment of narcotic overdosage) and possibly effective (for use in the prevention of narcotic-induced respiratory depression) have been reclassified as lacking substantial evidence of effectiveness in that no new evidence of effectiveness of the drug has been submitted pursuant to the notice of April 9, 1971. Roche Laboratories, holder of the only new-drug application for levallorphan tartrate injection supplemented the application to delete from labeling all indications other than those regarded as effective, and the supplement has been approved.

Any such preparation, for human use, introduced into interstate commerce after 60 days following publication of this notice in the FEDERAL REGISTER with labeling bearing indications for which the drug lacks substantial evidence of effectiveness, may be subject to regulatory proceedings.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 5, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-8773 Filed 6-9-72;8:46 am]

[DESI 8312]

OXYTETRACYCLINE HYDROCHLORIDE TOPICAL POWDER

Drugs for Human Use; Drug Efficacy Study Implementation; Followup Notice

In a notice (DESI 8312) published in the FEDERAL REGISTER of July 3, 1971 (36 F.R. 12706), the Commissioner of Food and Drugs announced his conclusions pursuant to evaluation of reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group on the following preparation:

Terramycin Topical Powder containing oxytetracycline hydrochloride; Pfizer, Inc., 235 East 42d Street, New York, N.Y. 10017 (NDA 8-312).

The notice stated that the drug was regarded as possibly effective for its labeled indications relating to the treatment of superficial infections of the skin and infected dermatoses. The possibly effective indications have been reclassified as lacking substantial evidence of effectiveness in that such evidence has not been submitted pursuant to the notice of July 3, 1971.

Batches of such drugs with labeling bearing indications for which substantial evidence of effectiveness is lacking are no longer acceptable for release. There is no antibiotic drug regulation which provides for certification of this preparation.

Any person who will be adversely affected by this action may, within 30 days after the date of publication of this notice in the FEDERAL REGISTER, petition for the issuance of a regulation providing for certification of the drug for such indications. The petition must be supported by a full factual and well documented medical analysis which shows reasonable grounds for the issuance of such regulation.

A petition for issuance of said regulation should be filed (preferably in quintuplicate) with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852:

This notice is issued pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050-51, as amended; 59 Stat. 463, as amended; 21 U.S.C. 352, 357) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: June 5, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-8772 Filed 6-9-72;8:46 am]

SYRACUSE UNIVERSITY RESEARCH CORP.

Notice of Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 2B2760) has been filed by Syracuse University Research Corp., Merrill Lane, Syracuse, N.Y. 13210, proposing that § 121.2505 *Slimicides* (21 CFR 121.2505) be amended to provide for the safe use of benzyl bromoacetate as a slimicide in the production of paper and paperboard intended to contact food.

Dated: June 1, 1972.

VIRGIL O. WODICKA,
Director, Bureau of Foods.

[FR Doc.72-8768 Filed 6-9-72;8:45 am]

[Docket No. FDC-D-481; NADA 6-648V, 7-806V]

VINELAND LABORATORIES, INC.

Certain Drug Products Containing Sulfaquinoxaline; Notice of Withdrawal of Approval of New Animal Drug Applications

In the FEDERAL REGISTER of July 9, 1970 (35 F.R. 11069, DESI 6391V), the Commissioner of Food and Drugs announced the conclusions of the Food and Drug Administration following evaluation of reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on Vineland Sulfaquinoxaline Feedmix 25 percent, NADA (new animal drug application) No. 6-648V and Vineland Aqua-Noxaline, NADA No. 7-806V; manufactured by Vineland Laboratories, Inc., 2285 East Landis Avenue, Vineland, N.J. 08360.

Vineland Laboratories, Inc., responded by advising the Commissioner that the sale of said drugs has been discontinued.

Based on the grounds set forth in said announcement and the firm's response, the Commissioner concludes that the new animal drug applications for the above-named products should be withdrawn. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-51; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120), approval of NADA No. 6-648V and NADA No. 7-806V, including all amendments and supplements thereto, is hereby withdrawn effective on the date of publication of this document.

Dated: June 5, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-8767 Filed 6-9-72;8:45 am]

Social and Rehabilitation Service

OFFICE OF PROGRAM PLANNING AND EVALUATION

Statement of Organization, Functions, and Delegations of Authority

Part 5 of the statement of organization, functions, and delegations of authority for the Department of Health, Education, and Welfare, Social and Rehabilitation Service (35 F.R. 8712, June 4, 1970), is hereby amended with regard to section 5-B, Organization and Functions, for the purpose of reorganizing the Office of the Assistant Administrator for Program Planning and Evaluation. Section 5-B of the statement is hereby amended, by superseding the